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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
GARY PIERCE

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AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

JAN 04 2007

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IN THE MATTER OF THE APPLICATION OF
THE CITY OF PHOENIX, ARIZONA TO
UPGRADE A CROSSING OF THE UNION
PACIFIC RAILROAD AT 67TH AVENUE IN
MARICOPA COUNTY, ARIZONA, AAR/DOT NO.
741-809-T.

DOCKET NO. RR-03639A-06-0793

PROCEDURAL ORDER

BY THE COMMISSION:

On December 19, 2006, the City of Phoenix, Arizona ("City") filed with the Arizona Corporation Commission ("Commission") a request for approval for the Union Pacific Railroad ("Railroad") to upgrade an existing crossing at 67th Avenue in the City, Maricopa County, Arizona at AAR/DOT 741-809-T.

IT IS THEREFORE ORDERED that the request of the City of Phoenix shall be considered an application for the Railroad to upgrade an existing public railroad crossing pursuant to A.R.S. § 40-337, et seq.

IT IS FURTHER ORDERED that the Railroad shall be considered as the Respondent in this proceeding.

IT IS FURTHER ORDERED that the **hearing** on the application shall be held on **February 1, 2007 at 9:30 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

IT IS FURTHER ORDERED that within five business days of receipt of this Procedural Order, **the City of Phoenix shall provide the Railroad and any other municipality or interested party that may be affected by the application with a copy of the application and this Procedural Order by certified mail.**

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1 IT IS FURTHER ORDERED that the CITY OF PHOENIX SHALL FILE WITH THE
2 COMMISSION'S DOCKET CONTROL AN ORIGINAL AND THIRTEEN (13) COPIES OF
3 PROOF OF COMPLIANCE with this Procedural Order concurrently with the mailing of notice
4 ordered herein.

5 DATED this 4TH day of January, 2007



MARC E. STERN
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 4TH day of January, 2007 to:

11 John Syers
12 Railroad Engineering Coordinator
13 Arizona Department of Transportation
14 205 S. 17th Avenue, Mail Drop 618E
15 Phoenix, AZ 85007

16 David Gibson
17 Arizona Department of Transportation
18 Traffic Records Section
19 206 S. 17th Avenue, Mail Drop 064R
20 Phoenix, AZ 85007

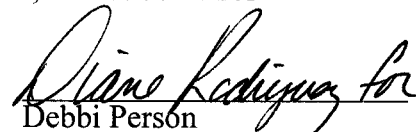
21 James H. Smith
22 UNION PACIFIC RAILROAD COMPANY
23 10031 Foothills Blvd.
24 Roseville, CA 95747

Christopher Kempley, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Brian Lehman,
Chief of Railroad Safety
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.
2627 North Third Street, Ste. Three
Phoenix, AZ 85004-1103

By:



Debbi Person
Secretary to Marc Stern